



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS
MEETING DATE AND TIME:	Tuesday, July 10, 2012 at 1:00 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Cannon Building, Second-Floor Conference Room B
MINUTES APPROVED:	September 11, 2012

MEMBERS PRESENT

Terri White, Professional Member, President
Frances Wimbush, Public Member, Secretary
Mike Salitsky, Professional Member
E. Ray Quillen, Professional Member
Sandra Dole, Healthcare/Public Member
Elizabeth Hague, Public Member
Victorine Parker, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Daniel Stevenson, Deputy Attorney General
Michele Howard, Administrative Specialist II
Pamela Zickafoose, Executive Director, Service Team A
Christine Mast, Administrative Specialist II (in training)
Sheryl Paquette, Administrative Specialist III (in training)

MEMBERS ABSENT

Hope Squier, Healthcare/Public Member
Tim Bane, Public Member

PUBLIC PRESENT

Jennifer White
Robert W. Greer
Brenda Coley-Moody
C. Linda --? (last name illegible)

CALL TO ORDER

Ms. White called the meeting to order at 1:00 p.m.

INTRODUCTION OF NEW PROFESSIONAL MEMBER, E. RAY QUILLEN

Ms. White introduced Mr. Quillen to the Board. Mr. Quillen briefly summarized his professional background for the Board. The Board and staff introduced themselves to Mr. Quillen.

REVIEW AND APPROVAL OF MINUTES

The Board reviewed the minutes of the May 8, 2012 meeting. Ms. White made a motion, seconded by Ms. Wimbush, to approve the minutes as presented. The motion carried unanimously.

REINSTATEMENT HEARING

BRENDA COLEY-MOODY

BOARD PRESENT: Terri White, Mike Salitsky, E. Ray Quillen, Fran Wimbush, Elizabeth Hague, Sandy Dole, Victorine Parker

BOARD STAFF: Michele Howard, Administrative Specialist II
Pamela Zickafoose, Executive Director, Service Team A
Christine Mast, Administrative Specialist II (in training)
Sheryl Paquette, Administrative Specialist III (in training)

BOARD COUNSEL: Daniel Stevenson, Deputy Attorney General

PUBLIC PRESENT: Jennifer White
C. Linda --? (last name illegible)

COURT REPORTER: Juli Labadia, Wilcox and Fetzer

The hearing began at 1:10 p.m. The court reporter took verbatim testimony. DAG Stevenson and the Board Members introduced themselves for the record. Ms. Coley-Moody was sworn-in by the court reporter. Mr. Stevenson questioned, and Ms. Coley-Moody confirmed, that she had waived the 20-day notice requirement. Ms. Coley-Moody presented her case for license reinstatement to the Board. Ms. Coley-Moody submitted continuing education documentation for the Board's review. Mr. Stevenson marked the documents as Respondent's Exhibit 1.

The Board went off the record to review Respondent's Exhibit 1 at 1:15 p.m.

The Board went back on the record at 1:21 p.m. to question Ms. Coley-Moody. Ms. Coley-Moody submitted additional continuing education documentation, which Mr. Stevenson marked as Respondent's Exhibit 2.

The Board went back off the record at 1:24 p.m. to review both of Respondent's exhibits.

The Board went back on the record at 1:26 p.m. to further question Ms. Coley-Moody, and Ms. Coley-Moody responded.

The Board went back off the record at 1:28 p.m. to deliberate.

The Board went back on the record at 1:31 p.m.

Ms. White made a motion, seconded by Mr. Quillen, to reinstate Ms. Coley-Moody's NHA license, as she surpassed the 48.0 CEUs necessary to satisfy the 2009-2011 continuing education audit. The motion carried unanimously.

The hearing concluded at 1:32 p.m.

UNFINISHED BUSINESS

REQUEST TO RETAKE NAB EXAM, TINA LAROSE – UPDATE FROM MS. HOWARD

Ms. Howard read aloud from an email received from Tina Larose, in which Ms. Larose requested that the Board provide her with a preceptor for her additional 40 hours of training. After discussion, Ms. White agreed to search for a preceptor for Ms. Larose. Ms. White will contact Ms. Howard once she confirms a preceptor who is willing to sponsor Ms. Larose for 40 hours of training.

CONTINUING EDUCATION AUDIT OF LICENSEES

Review Recommendations of Chief Hearing Officer for Dennis Koza

Mr. Stevenson advised the Board that it is bound by the Findings of Fact, but is not bound by the Conclusions of Law or Final Recommendations of the Hearing Officer. Mr. Stevenson read aloud the Final Recommendation. Ms. White recused herself from the vote, stating that she had a working relationship with Mr. Koza in the past.

Ms. Parker excused herself from the meeting at 1:35 p.m., and the Board continued its review of the Hearing Officer Recommendations. Ms. Parker reentered the meeting at 1:38 p.m.

After discussion, Mr. Salitsky made a motion, seconded by Ms. Wimbush, to accept the Conclusions of Law. The motion passed by a majority vote, with Ms. White recused.

Mr. Salitsky made a motion, seconded by Mr. Quillen, to accept the Hearing Officer's Final Recommendation. The motion passed by a majority vote, with Ms. White recused.

Mr. Stevenson stated that he will prepare an Order before the Board's next meeting, and will obtain the signature of the Board's Secretary or Vice President, since Ms. White recused herself from the vote.

Review Audit Submission from William Delaney

Ms. Howard presented copies of the correspondence between the Board office and Mr. Delaney. After review, Ms. White made a motion that Mr. Delaney be required to earn additional CEUs. After review of the documentation, Mr. Stevenson recommended that the Board request that Mr. Delaney appear before a DPR Hearing Officer for a Rule to Show Cause hearing. Ms. White's motion failed for lack of a second.

Mr. Quillen made a motion, seconded by Ms. Wimbush, that Mr. Delaney be scheduled for a Rule to Show Cause Hearing before a DPR Hearing Officer. The motion unanimously carried.

PROPOSED RULES AND REGULATIONS – REVIEW DRAFT FROM MR. STEVENSON

Additional Credits for Online Courses

Granting CE for AIT Preceptors

Mr. Stevenson presented a draft for the Board's review. Ms. White made a motion, seconded by Ms. Parker, to approve the draft Regulations as presented. The motion carried unanimously. Mr. Stevenson and Ms. Howard will schedule a public hearing.

NEW BUSINESS

RATIFICATION OF LICENSURE

Elaine F. Abbott-Wade (Temporary NHA)

Carole Cooke Derr (Temporary NHA)

Christy Lane (NHA by AIT)

Ms. White stated that all of the above listed applicants had been approved by Tim Ballas or herself since the Board's last meeting. Ms. White made a motion, seconded by Ms. Wimbush, to ratify the Temporary NHA licensure of Elaine F. Abbot-Wade and Carole Cooke-Derr, and the NHA licensure of Christy Lane. The motion carried unanimously.

REVIEW OF APPLICATIONS FOR LICENSURE

Robert Greer (NHA by AIT)

After review, Ms. White made a motion, seconded by Mr. Salitsky, to approve the NHA licensure of Robert Greer. The motion carried unanimously.

REVIEW OF AIT PROGRESS REPORTS

Megan Nessell (2nd Report)

David Boyer (2nd / Final Report)

Rawlida Trapp (1st Report)

Ms. White reviewed the 2nd AIT progress report of Megan Nessell, the 2nd and final AIT progress report of David Boyer, and the 1st AIT progress report of Rawlida Trapp. Ms. Parker made a motion, seconded by Mr. Salitsky, to accept all three progress reports as presented. The motion carried unanimously.

REVIEW OF AIT REPORTS – Ms. Howard

Ms. Howard summarized two AIT reports for the Board. The first was a status report of the Board's current AITs. The second report was a spreadsheet including information regarding all AITs licensed in Delaware since January 1, 2008. The data included on the spreadsheet was gathered at the Board's request at its May 2012 meeting, and will be used to determine if there are any trends among AITs who either do not take or fail the NAB exam.

REQUEST FOR CHANGES IN AIT PROGRAM, THOMAS SHEA (Mr. Salitsky Recused)

SNF Preceptor Change (from J. Spilecki to R. Coffey)

Request for Extension due to SNF Preceptor Change

Ms. White reviewed Mr. Shea's requests and made a motion, seconded by Ms. Wimbush to approve his request for a SNF preceptor change and his request for an extension of his AIT program. The motion carried unanimously.

REVIEW OF CONTINUING EDUCATION APPROVAL REQUESTS:

Delaware Health Care Facilities Association

It's All About the Work Force – Multi-Generational or Not, 9/27/12, Requesting 5.0 CEUs

2012 National Assisted Living Update, 7/20/12, Requesting 4.0 CEUs

Division of Public Health, Office of Performance Management, PHF Quality Basics Workshop, 1/24/12, Requesting 6.0 CEUs

Delaware Health and Social Services, *Beyond Behaviors: Supporting Competence, Confidence, and Well-Being*, 6/14/12, Requesting 5.5 CEUs

Delaware Association for Home and Community Care, *Transitions Across the Continuum of Care*, 11/9/11, Requesting 6.0 CEUs

Division of Services for Aging and Adults with Physical Disabilities, *Understanding Physical Disabilities and Sexuality in a Long Term Care Setting*, 10/6/11, Requesting 5.0 CEUs

Mental Health Association of Delaware, *safeTALK*, 4/27/12, Requesting 3.0 CEUs

Mr. Salitsky reviewed the applications. Ms. White made a motion, seconded by Ms. Wimbush, to approve the following courses for CE credit, as presented:

- Delaware Health Care Facilities Association, *It's All About the Work Force – Multi-Generational or Not*, 9/27/12, Approved for 5.0 CEUs
- Delaware Health Care Facilities Association, *2012 National Assisted Living Update*, 7/20/12, Approved for 4.0 CEUs
- Division of Public Health, Office of Performance Management, *PHF Quality Basics Workshop*, 1/24/12, Approved for 6.0 CEUs
- Delaware Health and Social Services, *Beyond Behaviors: Supporting Competence, Confidence, and Well-Being*, 6/14/12, Approved for 5.5 CEUs
- Delaware Association for Home and Community Care, *Transitions Across the Continuum of Care*, 11/9/11, Approved for 6.0 CEUs

- Division of Services for Aging and Adults with Physical Disabilities, *Understanding Physical Disabilities and Sexuality in a Long Term Care Setting*, 10/6/11, Approved for 5.0 CEUs
- Mental Health Association of Delaware, *safeTALK*, 4/27/12, Approved for 3.0 CEUs

Division of Public Health, Office of Performance Management

PHF Quality Facilitation Workshop, 1/26/12, Requesting 6.0 CEUs

PHF Quality Improvement Tools Workshop, 1/25/12, Requesting 6.0 CEUs

Mr. Salitsky reviewed the applications and noted that the certificates of completion reflect different course dates than the applications. Mr. Salitsky made a motion, seconded by Ms. Wimbush, to approve the courses for the requested number of credits, contingent upon receipt of verification of the dates of the courses. The motion carried unanimously.

Quality Insights of Delaware, ADRC Transitions in Long Term Care, 10/5/11, Requesting 4.3 CEUs

Mr. Salitsky reviewed the application and made a motion, seconded by Ms. White, to approve the course for 3.5 CEUs (not 4.3 CEUs as requested). The motion carried unanimously.

Delaware Culture Change Coalition, *It Starts With Me*, 7/18/12, Requesting 6.0 CEUs (Ms. Dole recused)

Mr. Salitsky reviewed the application and made a motion, seconded by Ms. Wimbush, to approve the course as presented. The motion carried by a majority vote, with Ms. Dole recused.

John Hopkins Bloomberg School of Public Health, *Managing Multiple Priorities and Projects*, 3/3/12, Requesting 6.0 CEUs

Mr. Salitsky reviewed the application and made a motion, seconded by Ms. Wimbush, to approve the course for 5.5 CEUs. The motion carried unanimously.

ELECTION OF VICE PRESIDENT

Ms. White called for nominations for Vice President. Ms. White nominated Mr. Salitsky, seconded by Ms. Parker. There being no further nominations, the Board voted and unanimously elected Mr. Salitsky as its Vice President.

REVIEW OF RULES & REGULATIONS, INACTIVE LICENSE STATUS – MS. HOWARD

Ms. Howard advised the Board that the Division's Systems Administrator recently brought to her attention that the Board's statute provides for an inactive license status, but the Board currently has no Rules or Regulations to clarify the requirements for an inactive status. After discussion, Ms. White made a motion, seconded by Ms. Wimbush, to table the discussion until the Board's September meeting. The motion carried unanimously. Mr. Salitsky will research inactive license status in other states and report to the Board in September. Ms. Wimbush will investigate requirements for inactive license status under the Delaware Board of Nursing and report to the Board in September. Mr. Stevenson will research language for inactive license status from other Delaware professional boards and report his findings at the September meeting.

COMPLAINT STATUS

Complaint 29-01-12 Reassigned from Ballas to Salitsky

Ms. White reported that Complaint 29-01-12 has been reassigned from Mr. Ballas to Mr. Salitsky, since Mr. Ballas is no longer on the Board.

OTHER BUSINESS BEFORE THE BOARD (FOR DISCUSSION ONLY)

REVIEW OF FEE SCHEDULE

Ms. Howard reported that the application and renewal fee for NHA licensure was increased from \$214 to \$228.

NAB ANNUAL MEETING, JUNE 6-8, 2012, PROVIDENCE, RI

Ms. Howard reported that neither Mr. Ballas nor Ms. Wimbush were able to attend the June 2012 NAB annual meeting in Providence, Rhode Island.

NAB MID-YEAR MEETING, NOVEMBER 7-9, 2012, SAN DIEGO, CA

Ms. White stated that she may attend the November 2012 NAB Mid-Year Meeting in San Diego, California. She will let Ms. Howard know by the Board's September meeting.

CERTIFICATE OF APPRECIATION, TIM BALLAS

Ms. Howard circulated a certificate of appreciation for former Board member, Tim Ballas, for signatures. The certificate will be mailed to Mr. Ballas after Ms. Squier and Mr. Bane have signed.

PUBLIC COMMENT

Dr. Pamela Zickafoose introduced herself to the Board as the Executive Director for Service Team A and the Board of Nursing. Dr. Zickafoose commented on the Rules for inactive license status under the Board of Nursing, noting that it is \$35 to renew an inactive nursing license for a two-year period, and that there are no requirements to renew an inactive license status. She added that the Rules under the Board of Nursing allow a nurse with an inactive license status to continue to call him/herself a nurse and use his/her RN or LPN credentials, but that they cannot practice nursing while inactive. Dr. Zickafoose reminded the Board for future reference that when they go off the record during a hearing, they cannot converse with the respondent. The Board thanked Dr. Zickafoose for her comments.

Sheryl Paquette introduced herself to the Board as the new Administrative Specialist III for Service Team A.

Mr. Salitsky stated that Ms. Howard does an excellent job as the Board's Administrator and asked that his comment be recorded in the minutes.

Ms. White introduced her daughter, Jennifer, to the Board.

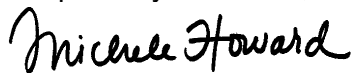
NEXT SCHEDULED MEETING

The next meeting is scheduled to be held on September 11, 2012 at 1:00 p.m. in the second-floor Conference Room B of the Cannon Building located at 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business, Ms. Wimbush made a motion, seconded by Mr. Salitsky, to adjourn the meeting at 2:14 p.m. The motion carried unanimously.

Respectfully submitted,



Michele Howard
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.